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VIA ECF

The Honorable Lewis J. Liman
U.S. District Court
Southern District of New York
40 Foley Square
New York, NY 10007

October 24, 2023

Re: *Bertrand v. Department of Education, Archdiocese of New York et al.*
Case No. 1:22-cv-10445

SO ORDERED.

LEWIS J. LIMAN
United States District Judge

The Motion for an Extension of Time is GRANTED. Parties are directed to submit the joint settlement letter by November 10, 2023. The Cheeks Fairness Hearing is adjourned to November 21, 2023 at 4:00 PM. The parties are directed to dial (888) 251-2909 and use the access code 2123101. The Clerk of Court is respectfully directed to close Dkt. No. 56.

Dear Judge Liman:

October 26, 2023

We represent Defendant Our Lady of Angels Church (“Defendant”) in the above-referenced action. We write on behalf of the parties to request (a) an extension of time on the parties’ joint settlement letter – which would explain the basis for the proposed settlement and why it should be approved as fair and reasonable, with reference to the factors discussed in *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335-36 (S.D.N.Y. 2012) – from October 27, 2023 until November 10, 2023; and (b) an adjournment of the settlement approval hearing from November 3, 2023 to November 20, 2023, or a subsequent date and time that is most convenient for the Court. This is the parties’ first request for such extensions.

The parties have exchanged settlement agreement drafts; however, there are still material items that require consensus. The additional time will allow the parties to reach a consensus on these material items, finalize the proposed settlement agreement, and outline why the agreed on terms are fair and reasonable via joint letter for the Court’s consideration prior to the approval hearing.

We thank Your Honor for your attention to this matter.

Respectfully submitted,

/s/ Robert M. Tucker

Robert M. Tucker

cc: *Counsel for Plaintiffs*